



| Policy        |                                   | Working With Children (Employee) |             | NWA-POL-26 |
|---------------|-----------------------------------|----------------------------------|-------------|------------|
| Department    | Community                         | Creation Date                    | April 2021  |            |
| Custodian     | General Manager Community Netball | Reviewed                         | August 2026 |            |
| Review Period | 2 years                           | Review Date                      | August 2028 |            |

## Policy Statement

The Working with Children (WWC) Check is a compulsory screening strategy in Western Australia and the Christmas and Cocos (Keeling) Islands for people who engage in certain paid or unpaid work with children, described as “child-related work” under the *Working with Children (Screening) Act 2004 (the WWC Act)*.

Under the WWC Act, people whose usual duties of work involve (or are likely to involve) contact with a child in connection with one or more categories of child-related work and where no exemptions apply, are required to have a WWC Check. Netball WA will take all reasonable steps to identify who within the Organisation is in child-related work and if a WWC Check is required.

## Scope

This policy applies to all Netball WA employees/contractors/volunteers/visitors, members and all other people or organisations which by agreement or otherwise, are bound to comply with this policy.

This policy applies to behaviour occurring during the course of Netball WA usual business, activities, competitions and events.

## Purpose

The purpose of this policy is to outline Netball WA’s obligations, responsibilities and expectations under the WWC Act.

For the purpose of this policy, Netball WA includes West Coast Fever.

## Implementation

### Obligations

Netball WA has an obligation to comply with the WWC Act. When seeking nominations or expressions of interest for appointments (paid or voluntary) Netball WA will provide the applicant with information regarding the screening process and the specific criteria for the position. Netball WA will keep and

maintain accurate records of all individuals with a current WWC Check and periodically check the validity of a WWC Check, for both new and existing employees/contractors/volunteers.

Employees/contractors/volunteers members have a responsibility to comply with all requirements to the satisfaction of Netball WA. If individual circumstances change and contravene this policy and the WWC Act, it is the responsibility of the individual to notify Netball WA.

Where an employee/contractor/volunteer/member engaging in child-related work refuses to obtain or renew a WWC Check, Netball WA will remove them from child-related work.

Employees/contractors/volunteers/members who are exempt from obtaining a WWC Check under the child volunteer exemption or parent volunteer exemption must confirm that they are eligible to do so.

If Netball WA receives notification of a Negative Notice or Interim Negative Notice, Netball WA will cease to engage the individual in child-related work. A person with an Interim Negative Notice or Negative Notice cannot access the parent volunteer, child volunteer or unpaid student under 18 years of age exemptions, as they cannot carry out child-related work. It is the responsibility of the individual to ensure they are eligible to access the child or parent volunteer exemptions. If a volunteer has a current Interim Negative Notice or Negative Notice, they need to immediately stop accessing the exemption and stop working with children. They do not have to provide a reason to the organisation as to why they are no longer able to volunteer with children.

## Confidentiality

It is critical that confidentiality is maintained at all times. Information obtained during the screening process will not be provided to any person who is not authorised to access such information. Netball WA will ensure that only Authorised Organisation Representatives will sign WWC Check applications and confirm online renewals and that the Netball WA Governance and Compliance Coordinator will be nominated as the Authorised Representative to receive the outcomes.

## Interstate Travel

Netball WA employees/contractors/volunteers travelling with children to another state or territory will comply with the screening requirements of that particular state or territory.

## Responsibilities

Netball WA's role and contribution in making this policy work is to take all reasonable steps necessary to ensure that everyone in the Organisation knows:

- What the WWC Check is.
- What this policy represents and their roles and responsibilities.

This will be achieved by:

- Placing the safety and welfare of children above other considerations
- Raising awareness of the WWC Check and Netball WA's compliance requirements throughout the organisation

- Appointing WWC Check Registration Officers across the Organisation,
- Identifying the categories of child-related work that Netball WA employees/contractors/volunteers engage in
- Keeping adequate records that demonstrate our compliance with the WWC Act
- Checking, recording and validating WWC Cards of all new employees/contractors/ volunteers
- Notifying the WWC Screening Unit of new employees/volunteers who already have a WWC Card from a previous employer/volunteer organisation
- Periodically checking and recording that all current employees, contractors, volunteers WWC Cards are valid, current and have not been cancelled
- Having a process in place to ensure employees/volunteers engaging in child-related work renew their WWC Card every three years, before their WWC Card expires,
- Having a process in place to ensure that any employee/volunteer issued with an Interim Negative Notice or Negative Notice does not engage in child-related work
- Having a process in place for child and parent volunteers to declare that they do not have a current Interim Negative Notice or Negative Notice and that they are eligible to access the child volunteer exemptions or parent volunteer exemption
- Asking volunteers to sign a declaration indicating that they are able to access the child and parent volunteer exemption
- Educating employees/contractors/volunteers/ members on this policy and procedures, identifying that they will be required to comply with this policy and outlining the possible consequences associated with breaches of this policy
- Providing opportunities for the sharing of best practice and feedback
- Reporting any concerns to Netball Australia, Department of Creative Industries, Tourism and Sport (CITS), WA Police, WWC Screening Unit as required; and
- Reviewing this policy and updating as required every 2 years.

### Policy Breaches

Netball WA will take all breaches of the policy seriously and will ensure they are dealt with promptly, sensitively, and confidentially. Disciplinary action may be taken against a person who is found in breach of this policy, in accordance with relevant Netball WA and Netball Australia Policies and Procedures.

### Changes to This Policy

This Policy may be cancelled, amended or supplemented by the NWA CEO as and when they see fit. Any variation or amendment will be given in writing by the CEO of NWA. This Policy will be reviewed every 2 years.

If this policy does not include provision for any new or updated legislative changes, then the relevant clauses in the WWC legislation are deemed to apply until action is taken to correct/update this policy.

## Definitions

|                                |                                                                                                                                                                                                                                                                                                            |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Child</b>                   | A person who is under the age of 18 years.                                                                                                                                                                                                                                                                 |
| <b>Club</b>                    | A registered financial club of an NWA Member Association.                                                                                                                                                                                                                                                  |
| <b>Contact</b>                 | Any form of physical contact, any form of oral communication, whether face to face, by telephone or otherwise and any form of electronic communication. However, it does not include contact in the normal course of duties between an employer and an employee or between employees of the same employer. |
| <b>Contractor/s</b>            | A person/s, company, organisation, or entity that undertakes a contract to provide labour or services.                                                                                                                                                                                                     |
| <b>Employee</b>                | An individual who is employed for wages, or salary in a casual, part-time, or full-time position within the organisation.                                                                                                                                                                                  |
| <b>Entity Team</b>             | A registered financial single team of Individual Members that does not form part of an Affiliated Club, is registered at a NWA Member Association and does not by itself have membership rights.                                                                                                           |
| <b>Team</b>                    | A single team of Individual Members that does not form part of an Affiliated Club or Affiliated Association and does not by itself have membership rights                                                                                                                                                  |
| <b>Individual Member</b>       | An affiliated financial individual playing member or non-playing member of a NWA Member Association or NWA Member Entity, which is recognised as a member under Netball WA Constitution                                                                                                                    |
| <b>Interim Negative Notice</b> | The WWC Screening Unit has received information relevant to the immediate safety of children, and the person is prohibited from engaging in child-related work during the assessment or re-assessment until a final decision is made.                                                                      |
| <b>Life Member</b>             | An individual upon whom life membership of Netball WA has been conferred under the Netball WA Constitution.                                                                                                                                                                                                |
| <b>Member Association</b>      | An Association which is recognised as an affiliated member of Netball WA as prescribed in the Netball WA Constitution under the Tier 1, Tier 2 or Tier 3 Membership category.                                                                                                                              |
| <b>Member</b>                  | A Club, Entity Team, Member Association, Member Entity, Individual Member, or Life Member who is an affiliated member of Netball WA as defined in this policy.                                                                                                                                             |
| <b>Member Entity</b>           | Association with only Non-Playing members and/or volunteers, GIG WANL Club, Independent NetSetGO Centre or any other approved affiliate of Netball WA who have been approved under the Tier 4 Membership category as prescribed in the Netball WA Constitution.                                            |

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Negative Notice</b>              | The WWC Screening Unit's assessment or re-assessment of a person's eligibility to hold a WWC Card indicates an unacceptable risk to children, and they are prohibited from engaging in child-related work.                                                                                                                                                                                                           |
| <b>Netball WA Activities/Events</b> | Events or activities including, but not limited to, competitions, education events, meetings, functions, seminars, or any other activity organised by Netball WA.                                                                                                                                                                                                                                                    |
| <b>Representative</b>               | The person(s) who have who has been given permission by Netball WA to sign WWC Check application forms and confirm online renewals on Netball WA's behalf.                                                                                                                                                                                                                                                           |
| <b>Usual Duties</b>                 | A WWC Check is required by a person who participates in child-related work, which means if the usual duties of the work involve, or are likely to involve, contact with a child in connection with any of the prescribed categories of child-related work. 'Usual duties' are the things you do regularly as part of your job or volunteering role (the things you couldn't perform your job/role if you didn't do). |
| <b>Voluntary work</b>               | Is where an individual receives no financial reward or remuneration. A person who receives payments that just cover the costs of carrying out their child-related work is considered to receive "no financial reward" and is considered to be a volunteer by the WWC Screening Unit.                                                                                                                                 |
| <b>WWC Act</b>                      | The Working with Children (Screening) Act 2004.                                                                                                                                                                                                                                                                                                                                                                      |
| <b>WWC Check</b>                    | The Working with Children Check.                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>WWC Card</b>                     | A Working with Children Card or Assessment Notice.                                                                                                                                                                                                                                                                                                                                                                   |

## Relevant Legislation/Compliance

This policy is to be read in-conjunction with the following documents and legislations:

| Legislation / Compliance                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------|
| Working with Children (Screening) Act 2004.<br><a href="#"><u>Working with Children (Screening) Act 2004.</u></a>                |
| Working with Children (Screening) Regulations 2005<br><a href="#"><u>Working with Children (Screening) Regulations 2005.</u></a> |
| National Principles for Child Safe Organisations.<br><a href="#"><u>National Principles for Child Safe Organisations.</u></a>    |
| Ombudsman Reportable Conduct<br><a href="#"><u>Reportable Conduct Scheme (Ombudsman WA).</u></a>                                 |

## Support Documents

| Document Number                   | Document Description                                                         |
|-----------------------------------|------------------------------------------------------------------------------|
| <a href="#">INT004</a>            | Netball Australia Safeguarding Children and Young People Policy              |
| <a href="#">NWA-PRO-06</a>        | Working with Children Check Procedure                                        |
| <a href="#">NWA-GUI-19</a>        | NWA Member Screening Guidelines                                              |
| <a href="#">NWA-FOR-34</a>        | Working With Children Check Internal Checklist                               |
| <a href="#">External Document</a> | True Sport - Sport West, <i>Reporting Flow Chart Template (Template 6.4)</i> |

*Note: Some support documents referenced above are internal Netball WA documents and are not publicly accessible.*